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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,737	04/10/2001	Chad A. Schoettger	SMQ-064 (P5765)	9630
959	7590	01/13/2006	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			NGUYEN, THANH T	
			ART UNIT	PAPER NUMBER
			2144	
DATE MAILED: 01/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,737

Applicant(s)

SCHOETTGER, CHAD A.

Examiner

Tammy T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. This action is in response to the action filed on October 17, 2005.
2. Claims **1-23** are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4, 5, 8, 9, 11-13, and 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Weinberg et al. (USPN 6,549,944– Date of Patent: April 15, 2003, herein referred to as “Weinberg”).
5. As to claim 1, Weinberg teaches the invention as claimed, including a method comprising the steps of: providing a web page with a first and second embedded software facility, said first embedded software facility including a reference to a source of computer- executable code for determining the trust

proxy setting in a web browser (Fig. 11, proxy 94, see col.23, lines 51-60); said second embedded software facility including a reference to a source of computer-executable code, receiving a request for said web page from a web browser (fig. 12, and col.23, lines 50-67); and forwarding said web page to said web browser in response to said request (fig.12, F,G, and H).

6. As to claim 2, Weinberg teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said web page (Fig. 11).
7. As to claim 4, Weinberg teaches the invention as claimed, including a method comprising the steps of: providing a web browser, said web browser stored on an electronic client device interfaced with said network, said web browser including settings for network connections (Fig. 11, 170 connect to 110 Internet); retrieving a web page with said web browser, said web page including a first and second software facility stored therein, said first software facility including a reference to a source of computer-executable code for determining the trust proxy setting in said web browser (see fig.25, and col.23, line 45 to col.24, line 56); retrieving the code for said first software facility, and determining the trust proxy setting in the network settings of said web browser by executing the code for said first software facility (fig. 12, see col.23, line 45 to col.24, line 56).
8. As to claim 5, Weinberg teaches the invention as claimed, wherein said the execution of the code referenced by said first software facility causes the trust proxy setting of said browser to be displayed to a user of said electronic client

device as part of a notification that said trust proxy setting is not enabled (fig.12).

9. As to claim 8, Weinberg teaches the invention as claimed, wherein both said first and second software facilities are Java applets (Script in col.23).
10. As to claim 9, Weinberg teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said web page (fig. 12).
11. As to claim 11, Weinberg teaches the invention as claimed, including a method for executing applets, said method comprising the steps of: providing a web browser, said web browser stored on an electronic client device interfaced with said network, said web browser including settings for network connections (Fig.3, and col.10, lines 1-10); providing a first applet and second applet stored on a web page accessible over said network, said first applet including a reference to a source of computer-executable code for determining the trust proxy setting in said web browser (see fig. 11, and col.24, line 56 to col.25, line16); retrieving said web page with said web browser, said web browser initiating execution of said first applet (see fig.12, C, D, E); and determining the trust proxy setting in the network settings of said web browser as a result of the execution of said first applet (fig.12).
12. As to claim 12, Weinberg teaches the invention as claimed, wherein said first applet displays said trust proxy setting to a user of said web browser as part of a notification that said trust proxy setting is not enabled (see col.24, line 56 to col.35, line 16).

13. As to claim 13, Weinberg teaches the invention as claimed, wherein said applets are Java applets (fig. 12).
14. As to claim 16, Weinberg teaches the invention as claimed, wherein the code for said first applet is stored at a remote location from said web page (Fig. 11).
15. As to claim 17, Weinberg teaches the invention as claimed, including in a computer network, a first and second medium holding computer-executable instructions for a method, said method comprising the steps of: providing a web page with a first and second embedded software facility, said first embedded software facility including a reference to code stored in said first medium, said first medium holding computer-executable code for determining the trust proxy setting in a web browser, said second embedded software facility including a reference to code stored in said second medium (see fig. 11, and col. 24, line 56 to col. 25, line 16); receiving a request for said web page from a web browser; and forwarding in response to said request said web page (see fig. 12).
16. As to claim 18, Weinberg teaches the invention as claimed, wherein said first medium is located remotely from said web page storage location (fig. 11).
17. As to claim 20, Weinberg teaches the invention as claimed, wherein both said first medium and said second medium are located remotely from said web page (fig. 11).

Claim Rejections - 35 USC § 103

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18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 3, 10, 19, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al., (hereinafter Weinberg) U.S. Patent No. 6,549,944 in view of Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No. 6,035,332.
20. As to claim 3, Weinberg does not teach the invention as claimed, wherein said computer-executable code referenced by said second embedded software facility is stored at a remote location from said web page. However, Ingrassia Jr teaches the second software facility is stored at a remote location from the web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Weinberg to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.
21. As to claim 10, Weinberg does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web

page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Weinberg to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

22. As to claim 19, Weinberg, does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Weinberg to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.
23. As to claim 21, Weinberg teaches the invention as claimed, including a network, a method comprising the steps of: providing a first web page with a first embedded software facility, said first embedded software facility including a reference to a source of computer-executable code for determining the trust proxy setting in a web browser (Fig.11, proxy 94, see col.23, lines 51-60); receiving a first request for said first web page from a web browser, forwarding said first web page to said web browser in response to said first request (see fig.12); receiving a second request for said second web page

from said web browser after the execution of said first embedded software facility, said execution indicating the proxy setting in said web browser is enabled (see col.24, line 56 to col.25, line 16); and forwarding said second web page to said web browser in response to said second request (see fig.12, and G,H). But Weinberg does not teaches a second web page with a second embedded software facility, said second embedded software facility including a reference to a source of computer- executable code. However, Ingrassia, Jr teaches providing a second web page with a second embedded software facility, said second embedded software facility including a reference to a source of computer- executable code (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Weinberg to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

24. As to claim 22, Weinberg teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said first web page Weinberg teaches the invention as claimed, wherein said first medium is located remotely from said web page storage location (see fig.11).
25. As to claim 23, Weinberg does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a

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second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Weinberg to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

26. Claims 6, 7, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al., (hereinafter Weinberg) U.S. Patent No. 6,549,944 and Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No. 6,035,332 in view of Johannes Hubert, (hereinafter Hubert) U.S. Patent No. 6,366,949.
27. As to claims 6, and 14, Weinberg and Ingrassia, Jr do not teach a second applet is composed of multiple classes. However, Hubert teaches a second applet is composed of multiple classes (col.4, lines 5-25). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Weinberg to have the second applet is composed of multiple classes because it would have provided a method and arrangement for data transfer with a higher level of applicability.

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28. As to claim 7, Weinberg and Ingrassia Jr do not second software facility stored on said web page is a .jar file. However, Hubert teaches second software facility stored on said web page is a .jar file (col.3, lines 10-17). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Weinberg to have the second software facility stored on said web page is a .Jar file because it would have provided that encryption of the data, the data not only kept confidential but it can also be made even more safe through encryption in file.
29. As to claim 15, Weinberg and Ingrassia, Jr do not teach a second applet is a compressed file. However, Hubert teaches a second applet is a compressed file (Fig.2 Class files, and col.3, lines 10-17). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Weinberg to have the second applet is a compressed file because it would have provided a method and arrangement for data transfer with a higher level of applicability.

Conclusion

30. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this

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instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

TTN

January 5, 2006



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100